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*Electronically Filed on  
 September 13, 2006*

8 **Attorneys for JV Direct Lenders:**  
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 A. & Sandra L. Cowman; Bruce Corum,  
 Trustee of the Credit Shelter Trust; Andrew  
 & Ellen Dauscher; Drs. David & Bonny Enrico;  
 Fertitta Enterprises, Inc.; Judith L Fountain  
 Irrevocable Trust Dated 8/26/97; Kehl Family;  
 The Mault Family Trust; Mojave Canyon, Inc.;  
 David W. & Pamela K. Sexton; Evelyn Asher  
 Sheerin, Trustee for the Benefit of The Chris H.  
 Sheerin (deceased) and Evelyn Asher Sheerin  
 984 Trust Dated 5/31/84; Evelyn Asher Sherrin,  
 Trustee of the Chris and Evelyn Sheerin 1990  
 Trust; Sheerins Inc.; and Sierra Health Services

## UNITED STATES BANKRUPTCY COURT

### DISTRICT OF NEVADA

16 In re:

17 USA COMMERCIAL MORTGAGE COMPANY,  
 18 Debtor.

Case No. BK-S-06-10725-LBR  
 Case No. BK-S-06-10726-LBR  
 Case No. BK-S-06-10727-LBR  
 Case No. BK-S-06-10728-LBR  
 Case No. BK-S-06-10729-LBR

19 USA CAPITAL REALTY ADVISORS, LLC, Debtor.

Chapter 11

20 USA CAPITAL DIVERSIFIED TRUST DEED FUND,  
 21 LLC, Debtor.

**RESPONSE OF JV DIRECT  
 LENDERS TO FIRST INTERIM  
 FEE AND EXPENSES**  
**APPLICATION OF SHEA &  
 CARLYON, LTD., SPECIAL  
 (LOCAL) COUNSEL TO THE  
 OFFICIAL COMMITTEE OF  
 EQUITY SECURITY HOLDERS  
 OF USA CAPITAL FIRST TRUST  
 DEED FUND, LLC,**

22 USA CAPITAL FIRST TRUST DEED FUND, LLC,  
 23 Debtor.

24 USA SECURITIES, LLC,  
 25 Debtor.

26 Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Hearing Date: September 28, 2006  
 Hearing Time: 9:30 a.m.

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1 JV Direct Lenders, by and through their counsel, Janet L. Chubb, Esq., of Jones Vargas,  
2 respond to First Interim Fee and Expense Application of Shea & Carlyon, Ltd., Special (Local)  
3 Counsel to the Official Committee of Equity Security Holders of USA Capital First Trust Deed  
4 Fund, LLC, ("Application") and state that they have no objection to the Application as long as the  
5 attorneys' fees and expenses requested are not paid from any monies belonging to the JV Direct  
6 Lenders as beneficiaries of those certain direct loans listed in the in the Second Amended  
7 Statement of Jones Vargas Pursuant to Bankruptcy Rule 2019 filed on September 13, 2006.

8 DATED this 13<sup>th</sup> day of September, 2006.

9 JONES VARGAS

10 By: //s// Janet L. Chubb  
11 JANET L. CHUBB, ESQ.  
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13 Attorneys for JV Direct Lenders

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## **CERTIFICATE OF SERVICE**

1. We filed the following document(s) on September 13, 2006:

**RESPONSE TO FIRST INTERIM FEE AND EXPENSE APPLICATION OF SHEA & CARLYON, LTD., SPECIAL (LOCAL) COUNSEL TO THE OFFICIAL COMMITTEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC**

2. Upon filing, I served the above-named document(s) by the following means to the persons as listed below:

- a. **ECF System** (attach the "Notice of Electronic Filing" or list all persons and addresses):

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17           **9 b Personal Service** (list persons and addresses):  
18           I personally delivered the document(s) to the persons at these addresses:

19           **9** For a party represented by an attorney, delivery was made by  
20           handing the document(s) to the attorney or by leaving the document(s) at  
21           the attorney's office with a clerk or other person in charge, or if no one is in  
22           charge by leaving the document(s) in a conspicuous place in the office.

23           **9** For a party, delivery was made by handing the document(s) to the  
24           party or by leaving the document(s) at the person's dwelling house or usual  
25           place of abode with someone of suitable age and discretion residing there.

26           **: c. By direct email (as opposed to through the ECF System)** (list persons  
27           and email addresses):

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7                   **9 e. By fax transmission** (list persons and fax numbers):  
8

9                   Based upon the written agreement of the parties to accept service by fax  
10 transmission or a court order, I faxed the document(s) to the persons at the  
11 fax numbers listed below. No error was reported by the fax machine that I  
12 used. A copy of the record of the fax transmission is attached.

13                   **9 f. By messenger:**  
14

15                   I served the document(s) by placing them in an envelope or package  
16 addressed to the persons at the addresses listed blow and providing them to  
17 a messenger for service. (A declaration by the messenger must be attached  
18 to this Certificate of Service).

19                   3. And on September 14, 2006, we will serve the above-named document(s) **United**  
20 **States mail, postage fully prepaid** (list persons and addresses):

21                   **Evan Beavers**  
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24                   **Joshua D Brysk**  
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2       **I declare under penalty of perjury that the foregoing is true and correct.**  
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DATED this 13<sup>th</sup> day of September, 2006.  
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Name

Tawney Waldo

Signature

//s// Tawney Waldo

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